

State Contractor and Investment Services Firm Contribution Bans

Connecticut General Statutes § 9-612 (f) (2) (A) provides in part that no *state contractor, prospective state contractor, principal of a state contractor or principal of a prospective state contractor*, with regard to a state contract or a state contract solicitation with or from a state agency in the *executive branch or a quasi-public agency or a holder, or principal of a holder of a valid prequalification certificate*, shall make a contribution to an exploratory committee or candidate committee established by a candidate for nomination or election to the office of **Governor, Lieutenant Governor, Attorney General, State Comptroller, Secretary of the State or State Treasurer**.

Connecticut General Statutes § 9-612 (e) (2) and (4) provide that no *principal of an investment services firm or member of the Investment Advisory Council* shall make a contribution to an exploratory committee or candidate committee established by a candidate for nomination or election to the office of **State Treasurer** during the term of office of the State Treasurer who pays compensation, expenses or fees or issues a contract to such firm. General Statutes § 1-84 (n) (2) provides that the State Treasurer shall not pay any compensation, expenses or fees or issue any contract to any firm which provides investment services when a principal of the investment services firm has made a contribution to **any exploratory committee or candidate committee** established by the **State Treasurer** as a candidate for nomination or election to the office of State Treasurer. The **State Treasurer** shall not pay any compensation, expenses or fees or issue any contract to such firms or principals during the term of office as State Treasurer, including, for an incumbent State Treasurer seeking reelection, any remainder of the current term of office.

\$100 Lobbyist Contribution Limit

Connecticut General Statutes § 9-610 (g) provides in part that no *communicator lobbyist or member of the immediate family of a communicator lobbyist* shall make a contribution or contributions to, or for the benefit of an exploratory committee or a candidate committee established by a candidate for nomination or election to the office of **Governor, Lieutenant Governor, Attorney General, State Comptroller, Secretary of the State or State Treasurer in excess of \$100**.

“Public Official” Exemption

Please Note: The state contractor contribution bans do not apply to a *principal of a state contractor or prospective state contractor* who is an **elected public official**. See General Statutes § 9-612 (f) (4). Likewise, the communicator lobbyist contribution limit does not apply to a *spouse or dependent child* of a communicator lobbyist who is an **elected public official**. See General Statutes § 9-610 (j).

Definition of Terms

“Individual contributor”: a human being, a sole proprietorship, or a professional service corporation organized under chapter 594a and owned by a single human being. A sole proprietorship is a business in which one human being owns all the assets, owes all the liabilities, and operates in his or her personal capacity. Any other type of business is not permitted to make a contribution, including LLCs. See General Statutes § 9-601 (9).

“State contract”: an agreement or contract with the state or any state agency or any quasi-public agency, let through a procurement process or otherwise, having a value of \$50,000 or more, or a combination or series of such agreements or contracts having a value of \$100,000 or more in a calendar year, for (i) the rendition of services, (ii) the furnishing of any goods, material, supplies, equipment or any items of any kind, (iii) the construction, alteration or repair of any public building or public work, (iv) the acquisition, sale or lease of any land or building, (v) a licensing arrangement, or (vi) a grant, loan or loan guarantee. “State contract” does not include any agreement or contract with the state, any state agency or any quasi-public agency that is exclusively federally funded, an education loan, a loan to an individual for other than commercial purposes or any agreement or contract between the state or any state agency and the United States Department of the Navy or the United States Department of Defense. See General Statutes § 9-612 (f) (1) (C).

“State contractor”: a person, business entity or nonprofit organization that enters into a state contract. Such person, business entity or nonprofit organization shall be deemed to be a state contractor until December 31 of the year in which such contract terminates. “State contractor” does not include a municipality or any other political subdivision of the state, including any entities or associations duly created by the municipality or political subdivision exclusively amongst themselves to further any purpose authorized by statute or charter, or an employee in the executive or legislative branch of state government or a quasi-public agency, whether in the classified or unclassified service and full or part-time, and only in such person’s capacity as a state or quasi-public agency employee. See General Statutes § 9-612 (f) (1) (D).

“Prospective state contractor”: a person, business entity or nonprofit organization that (i) submits a response to a state contract solicitation by the state, a state agency or a quasi-public agency, or a proposal in response to a request for proposals by the state, a state agency or a quasi-public agency, until the contract has been entered into, or (ii) holds a valid prequalification certificate issued by the Commissioner of Administrative Services under section 4a-100. “Prospective state contractor” does not include a municipality or any other political subdivision of the state, including any entities or associations duly created by the municipality or political subdivision exclusively amongst themselves to further any purpose authorized by statute or charter, or an employee in the executive or legislative branch of state government or a quasi-public agency, whether in the classified or unclassified service and full or part-time, and only in such person’s capacity as a state or quasi-public agency employee. See General Statutes § 9-612 (f) (1) (E).

“Principal of a state contractor or prospective state contractor”: (i) an individual who is a member of the board of directors of, or has an ownership interest of five per cent or more in a state contractor or prospective state contractor, which is a business entity, except for an individual who is a member of the board of directors of a nonprofit organization, (ii) an individual who is employed by a state contractor or prospective state contractor, which is a business entity, as president, treasurer or executive vice president, (iii) an individual who is the chief executive officer of a state contractor or prospective state contractor, which is not a business entity, or if a state contractor or prospective state contractor has no such officer, then the officer who duly possesses comparable powers and duties, (iv) an officer or an employee of any state contractor or prospective state contractor who has managerial or discretionary responsibilities with respect to a state contract, or (v) the spouse or a dependent child who is eighteen years of age or older of an individual described in (i), (ii), (iii), or (iv). See General Statutes § 9-612 (f) (1) (F).

“Communicator lobbyist”: a lobbyist who communicates directly or solicits others to communicate with an official or his staff in the legislative or executive branch of government or in a quasi-public agency for the purpose of influencing legislative or administrative action. A lobbyist, in turn, is generally defined as a person who, in lobbying and in furtherance of lobbying, makes or agrees to make expenditures, or receives or agrees to receive compensation, reimbursement, or both, and such compensation, reimbursement or expenditures are \$3,000 or more in any calendar year or the combined amount thereof is \$3,000 or more in any such calendar year. See General Statutes § 1-91 (12) & (22) (as amended by Public Act 15-15).

“Immediate family”: the spouse or a dependent child of an individual. See General Statutes § 9-601 (24).

“Dependent child”: a child residing in an individual’s household who may legally be claimed as a dependent on the federal income tax return of such individual. See General Statutes § 9-612 (f) (1) (G).

“Investment services”: investment legal services, investment banking services, investment advisory services, underwriting services, financial advisory services or brokerage firm services. See General Statutes § 9-612 (e) (1).

“Principal of an investment services firm”: (i) an individual who is a director of or has an ownership interest in an investment services firm, except for an individual who owns less than five per cent of the shares of an investment services firm which is a publicly traded corporation; (ii) an individual who is employed by an investment services firm as president, treasurer, or executive or senior vice president; (iii) an employee of such an investment services firm who has managerial or discretionary responsibilities with respect to any investment services; or (iv) the spouse or dependent child of an individual described in (i), (ii), or (iii). See General Statutes § 9-612 (e) (1).